
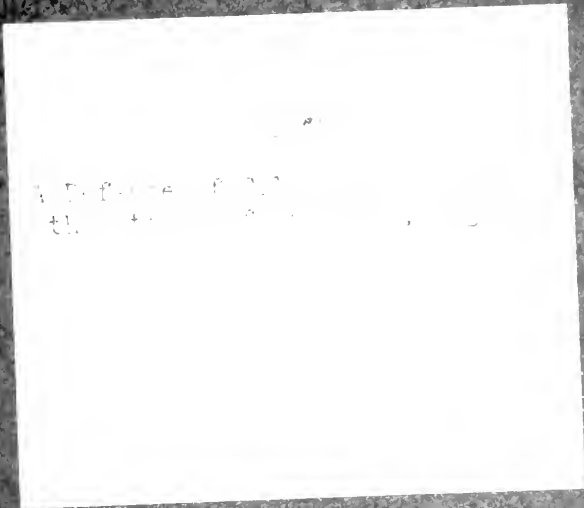


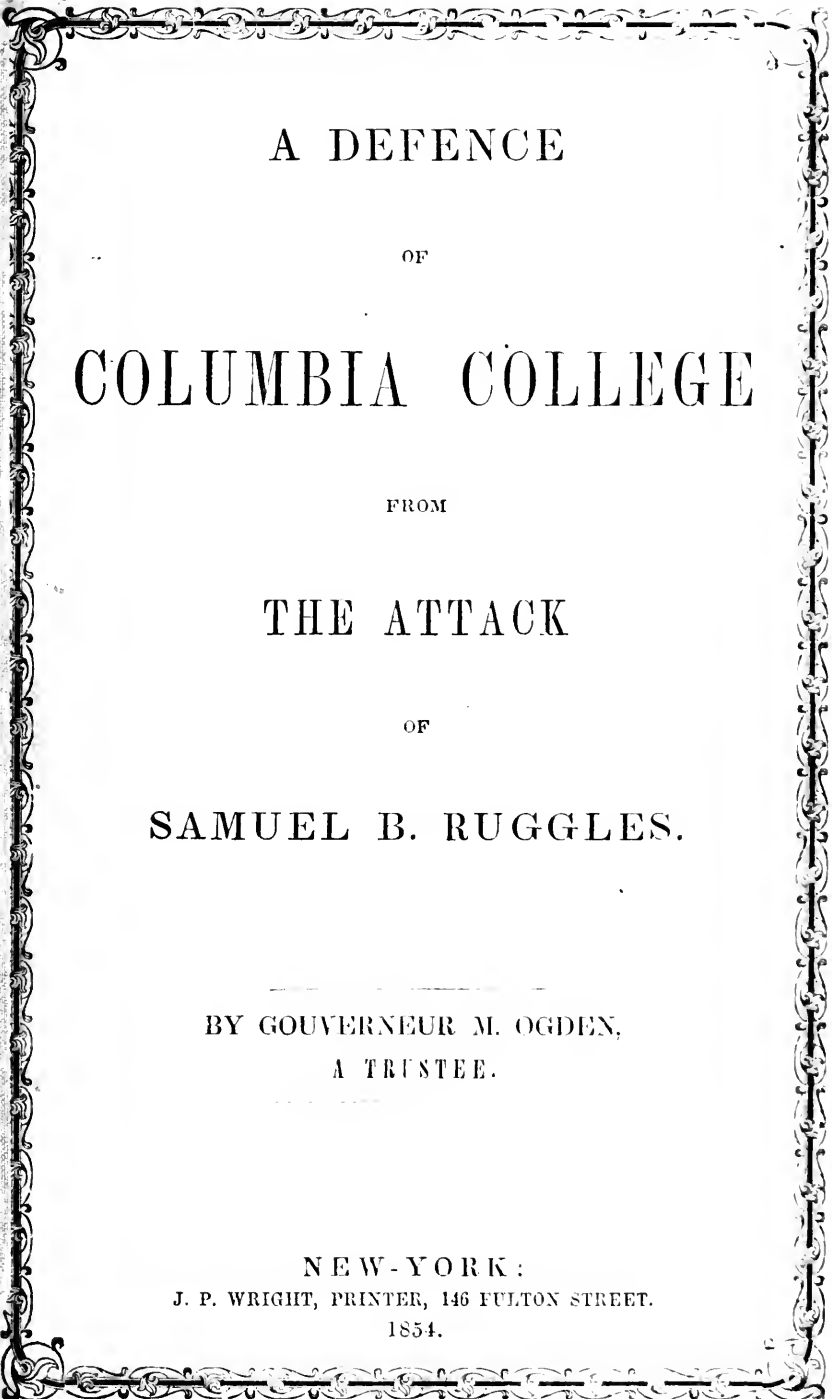
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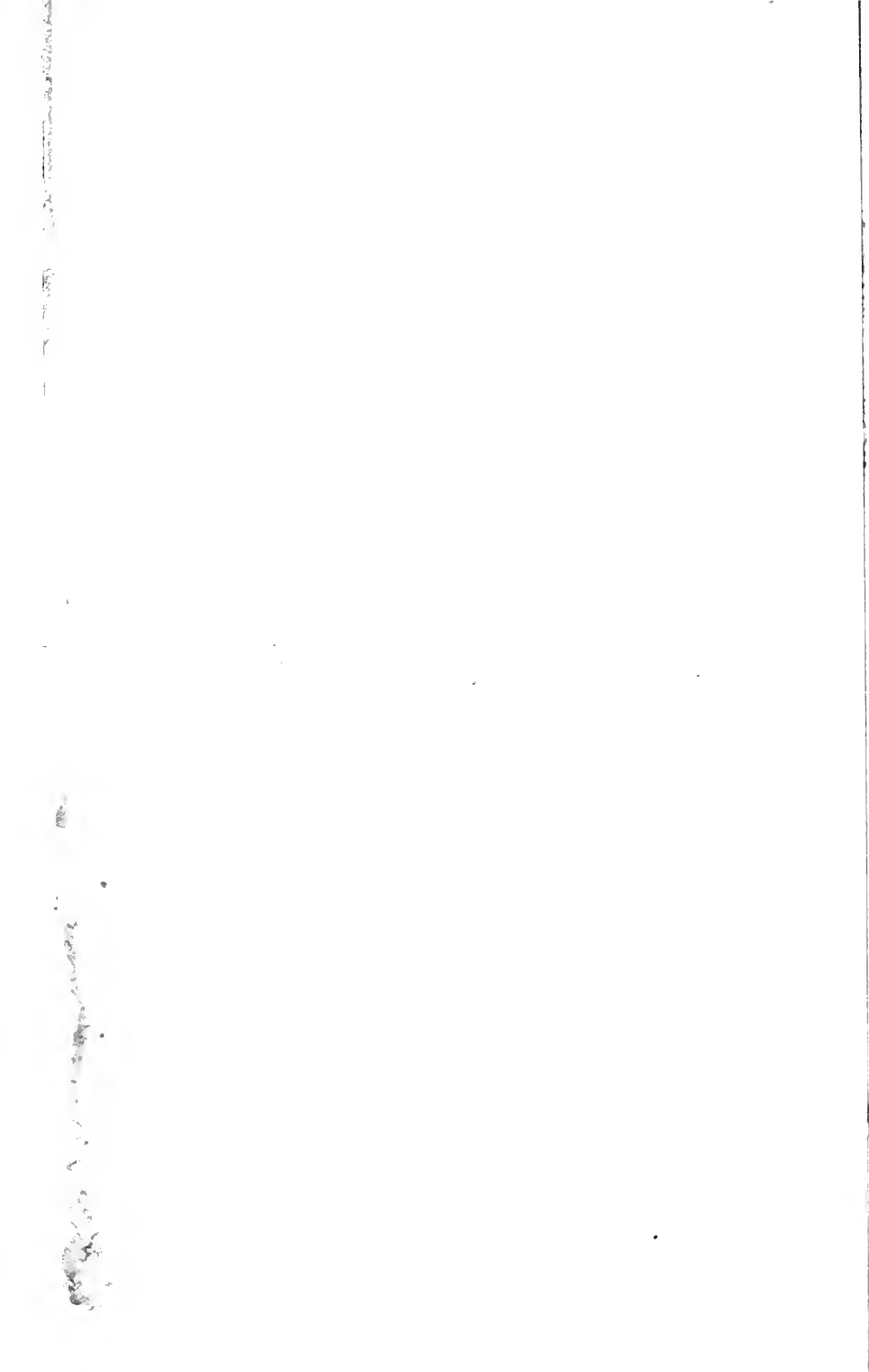
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A DEFENCE
OF
COLUMBIA COLLEGE
FROM
THE ATTACK
OF
SAMUEL B. RUGGLES.

BY GOUVERNEUR M. OGDEN,
A TRUSTEE.

NEW-YORK :
J. P. WRIGHT, PRINTER, 146 FULTON STREET.
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DEFENCE.

A PAMPHLET has lately been issued from the press under the title "The Duty of Columbia College to the Community, and its Right to exclude Unitarians from its Professorships of Physical Science,—considered by one of its Trustees." It goes forth under the name of its author. Though this production is in form, a letter to one of his colleagues, yet it is apparent it was originally intended to have, what has now been given to it, general circulation. This may be inferred from its contents, but more conclusively from the fact that it was not distributed to the Trustees earlier than within four days before the day on which the election was expected to be and was actually made. The Trustees had, previous to that time, several meetings, at which the subject of the vacancy of the Professorship of Chemistry and Natural and Experimental Philosophy, and the claims of the several candidates, were under consideration; and several unsuccessful ballotings had taken place. Mr. Ruggles, therefore, must have well understood that the mind of each Trustee was so settled as to be beyond the reach of his arguments. The pamphlet probably was understood by some of those gentlemen, for whose eye it was primarily intended, as an intimation of a future appeal through its pages to the public, should they venture by their votes to disregard the admonitions of its author. If so, their suspicion has been turned into reality. For now, whatever may have been the original design of the writer, after the Board of Governors of one of the oldest and most respectable institutions of learning in this State

has, by a legal election, filled a vacancy in one of its Professorships, an unsuccessful candidate is brought before the public by one of his warmest advocates, to complain that his claims to the office have been unjustly and even illegally postponed to those of another. One would suppose that the presumption against the justice of such complaint was very strong, and that it would require reasons of extraordinary weight to overcome the considerations of propriety which might be expected to induce him quietly to acquiesce in the selection of another, a fellow-worker in the same walks of science in which he moves. In the judgment of Mr. Ruggles, such reasons exist.

Upon examining the pamphlet in question, it will be found to start upon the position that the Trustees who did not vote for Dr. Gibbs, but voted for the gentleman who was finally elected, did so knowing that, apart from considerations of religious faith, and of the means which had been used to effect his election, the former had the superior qualifications—was pre-eminently fit for the Professorship. His pre-eminent fitness being established, Dr. Gibbs is in the position of being *rejected*, deprived of a right. And it is asked on what grounds was this rejection justified. These grounds are then stated to be—1. That indecorous, intemperate and disrespectful means had been used to assert the superiority of his claims; and 2. That he was a Unitarian. Both of these objections are argued against at great length, and it is insisted that neither can enter into the motives of any Trustee in giving his vote without injury to the best interests of the institution and to science which it ought to promote, and without violation of his duty to the public, to his trust, and to the law.

First, then, as to the allegation of the acknowledged pre-eminence of Dr. Gibbs. Mr. Ruggles is entitled to express his own conviction of the superiority of the gentleman whose claims he so warmly and assiduously advocated. But with what right can he assume that others, who thought it their duty to take a course different from that he followed, enter-

tained the same conviction? It is utterly denied that in the Board of Trustees, or out of it, such pre-eminence was ever admitted by any who gave their support to other candidates. Still less is it true that the act of the Board itself, in making choice of a Professor to fill the vacancy lately existing, can be shown to have been, or was in fact, anything but the deliberate expression of its judgment as to the relative fitness of the candidates. The testimonials of all the candidates were before it. The duty and right devolved upon the members of that Board to consider the weight and force due to the evidence of the qualifications of each; to take into consideration all such facts as their own inquiries might bring to light, or might otherwise come to their knowledge, and which they judged bore upon the character and attainments or the evidence in favor of any whose merits were in question. The testimonials of one of such candidates, through the zeal of his friends, have been printed; and Mr. Ruggles deems them conclusive. None of the others have been printed, nor will be: yet they show high capacity in those to whom they relate; and in them the Board has found a sufficient justification of its choice. Many Trustees, as respectable and conscientious, and devoted to the interests and proper objects of the College, as Mr. Ruggles himself, deemed one of those candidates to be the most competent to fill the chair of all whose names were submitted; yet it is true, that when it was found that he could not be elected, it was proposed by two of them, for the sake of harmony, that both the most prominent candidates should be abandoned. It is then asked, "How could they withdraw his name, and vote for some other candidate whom they considered less fit, and perhaps did not know to be fit at all?" The answer is plain: They abandoned him because he could not be elected, and then cast their votes for one abundantly qualified for the chair, and whom they deemed next in rank. They did know him to be fit, and were well assured of his fitness by his testimonials, by his wide-spread and well-deserved reputation, and by the can-

didly expressed opinions, personally elicited, of gentlemen of science, in whom they had confidence, amongst whom was a member of the Board itself.

But a member of the Board of Trustees of this institution has reconciled it to his sense of duty to make an appeal to the public from its legally expressed judgment, and to put himself in an attitude of hostility against her: and departing from the well understood custom under which frank expressions of opinion have been considered confidential in a small body of gentlemen, amongst whom hitherto the greatest freedom of intercourse has prevailed, he has thought fit to seize upon such expressions, and to proclaim them to the world as evidence of the sole motive for votes cast more than two months afterwards. More private declarations, alleged to have been made, are also dragged to the light for the same purpose. How far this can be reconciled to a true regard for the interests of this institution, is a distinct question. But the motives, under the influence of which each member of the Board finally cast his vote, after the interval had given him full opportunity to form an opinion, are known only to himself, and to those to whom he has revealed them. As to all others, they must in a great measure be matters of conjecture. The writer of this paper has as much right to form a judgment on that head as Mr. Ruggles, and has had equal opportunities; and he asserts that the above positions are true.

If then the foregoing be a just exposition of the true intent and force of the act of the Trustees, as an expression of their judgment upon the relative merits of the candidates, what becomes of the cry of religious persecution—of rejection for opinions' sake? If Dr. Gibbs was not pre-eminent in the opinion of the Trustees—and upon their opinion the question depends,—then it was their duty to choose as they have done, him they thought best qualified. And Dr. Gibbs was not, as has been arrogantly claimed, *rejected*. Yet this allegation of intolerance, though without legitimate place in this controversy, has its end to serve, like many other means

resorted to with the same intent. Of those, as indicating the true motive of the present attack upon the College, we will hereafter speak. So also it is evident that there is no pertinency to the matter in hand, of all that Mr. Ruggles so eloquently writes of the objects of the College—the purposes of its creation—its alleged past culpable neglect of Physical Science—its duty to the public, and the great need for the faithful performance of that duty—its present indifference. All these topics are ostensibly introduced to enforce the propriety of the election of Dr. Gibbs, on the assumption that he, of all the agents whose services the College has the power to secure, is *pre-eminently* qualified to accomplish as to Physical Science, the end the Trustees ought to have in view. The pre-eminence gone, and all this able display of zeal for the promotion of science has no force as argument. But this too had another purpose, as will presently be seen.

But though, as above shown, it is in reality immaterial whether or not the Trustees of the College individually had the right to take into account the religious belief of the gentleman whose qualifications for a chair of science have been made the theme of public discussion, because, in fact, the result of the ballot did not depend upon that question: yet the positions in this respect of the pamphlet of Mr. Ruggles, are so unsound and so dangerous, if generally prevalent, to the independent management of every institution of learning in the State, as to call for a refutation.

This, it should be remarked, is a question of right and of law: and ill-defined notions of religious liberty, and sympathy of friends of the party supposed to be affected by the application of the law in a particular instance, have nothing to do with it. They are artfully brought in to subserve the end in view.

It may be thought a case of hardship, that any individual, by reason of his religious faith, has failed to procure the votes of men in whose power it lay to give him an office he sought and was qualified to fill; that, though not disqualified by any act of the body of which

those men were members, he yet for that reason wanted their suffrages. This may seem very unreasonable and very unjust, or may not seem so, according to the views of those who censure or praise. But it has nothing to do with the question of law. Nor in the supposed case, would there be any infringement of the right to the free exercise and enjoyment of religious freedom and worship. He could, notwithstanding the disappointment, fully exercise and enjoy his religion, without restraint. His freedom in that respect would be as perfect after, as before; and therefore, the mere fact that he was not elected, would not constitute any violation of his constitutional right. If the law protects him against such a misfortune, then he has a right to complain of legal wrong, but not otherwise.

How, then, does this question of law stand? The charter of the institution, and the acts of the Legislature confirmatory of the same, are quoted. By the first of these, the Governors are prohibited from enacting any ordinance, order, or by-law of the College, which shall extend to exclude any person of any religious denomination whatever from equal liberty and advantage of education, or from any of the degrees, privileges, and immunities of the said College, on account of his particular tenets in matters of religion. And by the second of these, it is provided that none of the ordinances or by-laws of the College shall make the religious tenets of any person a condition of admission to any privilege or office in the said College. In addition to these enactments, we find quoted the General Law of the State applicable to all incorporated colleges and academies therein: that "no religious qualification or test shall be required from any trustee, president, principal, or other officer of any incorporated college or academy, or as a condition of admission to any privilege in the same."

The question may be asked in reference to this provision, What does the law mean by "required?" By what act, and by what authority, in what mode, must this

exaction of a religious qualification or test be made, in order to constitute a violation of the law? Can it mean any thing else than that the act to constitute a violation of the law must be done by the established authorities of the college or academy, to which in any instance particular application of the provision is to be made? In what mode, then, is it forbidden to be done? Common sense indicates the answer: By the act of the body in which the management or government of the institution is vested. It acts collectively, and expresses its determinations in the shape of resolutions, by-laws, and orders. Acting in this way, it has the power to remove from, or to admit to offices in its gift. Its constituent parts have no such power; and without that power, they of course can exact no condition whatever under which persons shall be admitted to or hold such offices. The party to be restrained can be none other than that in which the power rests, upon which the restraint is intended to operate. It is intelligible to say, that the acts of such body thus expressed, done in violation of the law, are illegal. But to say that the law does, or meant to, control the motives of individual members of such a body, is to engraft upon it an additional provision,—a principle to the enforcement of which legislation in this State has not yet reached.

Again, are we to understand that this legal provision of such general scope, overrides all the clauses in particular charters directed to the enforcement of the same principle, or calculated for the promotion of particular branches of learning? Whether made before or after this enactment, such charters are contracts made between the State and the particular institutions to which they relate. If made before, they cannot be affected by such law; if made after, they repeal it so far as inconsistent with it. Else there is not a chartered Theological Seminary in this State that is not, equally with us, subject to the consequences of such a construction. We must therefore resort to the charters themselves, of the College, in order to form a just idea of

this principle, right in itself, and only mischievous in the attempted application.

Referring then again to these charters, we find that the Trustees are forbidden, by any ordinance, order, or by-law, to exclude any person from office by reason of his particular tenets in matters of religion, or by ordinance, or by-law, to make a religious qualification or test a condition of holding office or of admission to the same : or more properly speaking, they have no power to pass any by-law or ordinance having such effect. This provision is inserted both in the original charter and in the charter granted by the State as a *proviso*, limiting the power to make by-laws and ordinances. It is merely a restraint upon that authority. How then can this be made to reach beyond its proper object : in place of prohibiting the act of a specified kind of the whole body—to forbid the exercise of a very different power in the members of that body. It is said that, because the College has no power to enact a by-law making religious profession an exclusion from office, no member of the Board of Trustees has a right to take the religious profession of a candidate into account, as a motive governing or influencing his action in casting his vote for a person to fill a vacant office ; and the denial of the justice of this inference is stated to be the assertion of a higher law of conscience, claimed to override the obligation of a human law. But Mr. Ruggles has not supported his position further than by the bare assertion that the general principle, which he contends for, is enforced by the laws above referred to. How enforced ? Not by their terms. Those laws do not say that the discretion of each Trustee shall be so fettered, nor can by any process of reasoning, when they deny one power, be made to restrict the exercise of a very different power. The second section of an act relative to Columbia College in the City of New-York, passed 23d March, 1810, and comprising the charter of the College in one act, gives power to the Trustees to select and appoint, by ballot or otherwise, such professor or professors, to assist the President in the govern-

ment and education of the students belonging to the College, as to the said Trustees shall seem meet. The Trustees have then a right to elect by ballot, with an uncontrolled discretion. The charter contains no provision by which this important right is restricted or made subject to any inquisitorial power to ferret out the motives by which each Trustee may have been actuated in exercising it. When therefore it may seem expedient, for any cause bearing upon the interests or the good government of this or any other literary or scientific institution, to take into consideration the religious profession of any candidate for a vacant professorship, in preferring another to him of equal attainments, or even adequate attainments, it would be sufficient to justify the motive for the act of each particular Trustee or manager, influenced by such considerations, to say that he violates no human law, and therefore is not reduced to the necessity of availing himself of the plea put into his mouth by Mr. Ruggles, of preferring the law of conscience to the law of the land.

The allegation of prosecution for opinion's sake, set up in the pamphlet under review, raises in this particular case a false issue, as it would appear to further an ulterior design. But its positions of law are mischievous, not only as disseminating loose and inaccurate notions of the meaning of the law, but also as tending to fetter and control the proper management of the concerns, not only of Columbia College, but of all similar institutions. Although in some features of its government—the necessity, growing out of a condition under which it holds a great part of its estate, that its President should be in communion with the Protestant Episcopal Church—the form of daily worship according to the liturgy of that Church, prescribed by the same condition—and the accidental preponderance in its Board of Trustees of persons in the same communion—connect it more particularly with one Church than with any other: a feature common to almost every similar institution in the country, and as securing to it a religious character, not regretted by any of its

true friends: yet it has never confined its privileges or offices to any religious denomination, but has given equal advantages to all. This fact, statements in the pamphlet under review will show. It tells us, that by a statute of the College in force, any religious denomination, endowing a professorship in certain branches of science, shall forever have the right of nominating a professor to the same, subject to the approbation of the Trustees. And it is justly inferred that the Trustees could not rightfully reject such nomination, for the sole cause that the nominee belonged to the religious denomination who proposed him. In the case of the very vacancy which has been the occasion of the present unsought controversy, a further proof of this may be found. We have paraded in the public papers, with the reckless impropriety which characterizes the whole conduct of this war upon the College, the assumed statement of the votes of the Trustees; and it will be found, so far as that statement is entitled to credit, that all who voted for a Unitarian, with one exception, belong to the Episcopal Church, and that the successful candidate, who does not belong to that Church, was elected by the votes of members of the Episcopal, Dutch Reformed, and Presbyterian Churches. Where then is the foundation for the accusation that the College is exclusive, or that there is a disposition in its Trustees to keep its offices for the benefit of members of the Episcopal Church?

But although this exclusive character cannot be charged upon the College, yet many cases might occur in which it might be highly expedient in the judicious management of its concerns, and with a proper regard to its interests, and to the promotion of its usefulness, to take the religious profession or belief of a candidate for a vacant professorship into account. For instance, this College supports a professorship, one branch of the duty of which is to teach and explain the Evidences of Natural and Revealed Religion. Ought this duty to be committed to an infidel, who attaches no weight to those Evidences; or to a Mahommedan or

Jew, who believe them not at all, so far as they vindicate the truth of the Christian religion, which, in a Christian institution, they are relied upon to instil and enforce in the minds of its students? Or, suppose that when a vacancy of one chair should occur, it should be found that all the others, then being filled, were occupied by gentlemen of one and the same religious denomination,—might not the Trustees rightfully, with a view of preventing the conviction becoming prevalent in the community, that the College was used as a means of patronage and support of the members of a particular Church, and of averting the evil that would in consequence fall upon itself, take this matter into consideration? And might they not, when two candidates were presented of equal qualifications, choose him attached to the Church to which the other professors did not belong? Or suppose that, in case of a vacancy, Trustees should see, in such way as to produce conviction in their minds, that an attempt by intrigue and intimidation to force a candidate of a particular religious belief into the College, was the precursor of future attempts to remove by the same means from their chairs their present occupants, to make room for others of the persuasion of him sought then to be introduced,—perhaps to the entire destruction of the character of the institution of which they are the guardians,—may they not in such case prefer, by their votes, one of equal attainments to him supported by such influences? In all these cases, the discretion which each Trustee would be left free to exercise by a reply in the affirmative, would be proper and necessary, if we have regard only to the promotion of education, to the usefulness of the institution, or to its due government: yet the motive in each case for the choice would be drawn solely from the consideration of the religious profession of a particular candidate. And to the same extent that the exercise of the discretion manifestly proper in such cases would be beneficial, would the refraining from its exercise be hurtful, and subversive of the prosperity and good order of every college

or academy whose trustees might regulate their conduct by the arbitrary rule now attempted to be enforced.

The error is in not distinguishing between a disqualification by virtue of a rule operating upon a class and a discrimination in the case of a particular individual of that class. The one is impolitic and unjust, as well as illegal; the other is legal, and may in particular instances be both just and consistent with sound policy. And care should be taken that a principle should not be advocated or adopted through a mistaken regard for the rights of one person, which, carried into practice, would be an infringement of the rights of a large number of persons. As an illustration of this: religious profession is not, and ought not to be, a disqualification for any political office; yet, who shall prevent,—what law prevents, or ought to prevent, an elector from taking such profession into account in forming his estimate of a candidate, and as a motive for throwing his ballot for or against him?

Among the grounds of objection to Dr. Gibbs, stated by Mr. Ruggles to have been made by Trustees, are the means that have been used outside of the College to further his election. These are enumerated as “the petition of the Alumni for his appointment—the concurrence of some of the parents of the under-graduates in that petition—newspaper paragraphs, intemperately and indecorously asserting the superiority of his claims.” And we are told that “the objection made to these was, that they constituted an outside pressure, in which it did not become the Trustees to acquiesce, and which their official dignity required them to resist, by electing some other candidate.” This is a mode of stating the matter well suited for the purposes of satire, but neither calculated to persuade the colleagues of the author who differed from him in opinion—to bring whom to a better mind he affected to write,—nor consistent with the truth.

The papers signed by the Alumni were not petitions. They were simply recommendations of the appointment of

Dr. Gibbs for the vacant chair, and as such were submitted with and as part of his testimonials—as evidence in his favor. As such they required no answer. They did not purport to give any qualification of the gentleman in whose favor they were presented, nor any fact to assist the Trustees to form an opinion as to his abilities, acquirements or character. They might therefore properly be regarded as the respectful expression of the wish of the signers that, if found in all respects the best suited for the place, he might be put into it. And in the case of two candidates, in the judgment of the Board equally fit, a proper regard to that wish would have cast the choice in favor of him possessing the recommendation of a considerable part of the Alumni. This implies no disrespect to the Alumni. The Board of Trustees have ever studiously treated the Alumni with regard and respect. As the sons of the College, and more than all other men in the community attached to her interests and welfare, their good will and favorable opinion has always been the hope and reliance of her managers as inseparable from her prosperity. None, it is believed, of those managers has departed from this just view of the relationship, nor from the respect which is its consequence. The writer of this answer is alone responsible for the views here put forth of the force properly due to the application of the Alumni in question. To those among them whose friendship for the party concerned does not unhappily mislead their judgment, they will appear sound. There was no disrespect then to the Alumni, either through any disposition made or omitted to be made of their communication, or in not acceding to their recommendation. Why are they then, or any part of them, to be arrayed against the College or its Trustees? In place of standing by her, to join in the cry against her, and to lend the weight of their influence to give probability to the accusations which are made the foundation of a Legislative Inquiry directed against her very existence? The reason for this, it is most respectfully said, ought not to be because men, to whom the guar-

dianship of her concerns has been for the time committed, have firmly done what they considered their duty to her.

Thus much may however be stated in regard to the recommendation of the Alumni, though not, as far as the knowledge or recollection of the writer extends, ever said in the Board of Trustees. A large number of the Alumni signed that paper, and, so far as they are concerned, it mattered not under what circumstances they had affixed their names. Whatever those circumstances, the signers were entitled to respect. But as to the party in whose favor they were collected, it is a different question. And when it came to the knowledge of several of the Trustees that, instead of the signing of that paper being the spontaneous act of those whose approbation it purported to express, the Alumni had been laboriously canvassed, and in some instances repeatedly solicited to affix their names, it became a matter of regret to such Trustees that resort should have been had to such a measure to enforce the claims of an applicant for a scientific chair.

But we are told that some of the parents of the undergraduates concurred in the alleged petition of the Alumni. It is true that printed circulars, praying the Trustees to appoint Dr. Gibbs, were issued by persons to the parents of the students for their signatures. It may be conjectured that the energy and industry of the friends of that gentleman left none of the parents of the one hundred and forty (whom Mr. Ruggles states the College teaches) unsolicited. Yet but twenty-two yielded by signing the proffered petition. Yet not one word of comment was made by any one in the Board on the subject, nor was this in any manner alluded to as evidence of "outside pressure."

We come now to the other means resorted to for the purpose of securing to Dr. Gibbs a chair in this College, which (according to Mr. Ruggles) formed a reason for preferring another to him. But first among such, it is proposed to examine the allegations and arguments contained in the pamphlet, so far as not already answered, which, although

they could not be expected to produce any beneficial effect on his colleagues, yet are of importance as throwing light upon the motives of the author, and the credit due to him, and as a link in the chain of evidence to connect many things that have been done with the actors. But this examination has likewise an interest of a different kind: for, under the cloak of the advocacy of the claims of an individual, the Pamphlet contains grave charges against the management of an institution of which the author is a Trustee, calculated to injure her in the estimate of the community—charges not confined to the case of the particular individual whom it is ostensibly written to sustain, but reaching to the general management of the College in past and present times. These would be injurious if coming from without; but, emanating, as they do, from one whose duty it is, from his relationship to the College, to guard, protect and sustain her, there is hazard that the public may suppose that he is not unmindful of that duty, and that imperious considerations of right and truth have impelled him to the course he has adopted. Talent and plausibility, joined to the personal position of the inflicter, it may justly be feared have given for the time effect to the blow. And now it seems necessary for some friend of the College, who will undertake the gratuitous labor, to defend her from this attack.

In arguing against the force of the objection that Dr. Gibbs is a Unitarian, Mr. Ruggles bestows upon his co-Trustees an exposition of the objects of the College, drawn from the charter, and he tells us that they are the Education and Instruction of Youth in the Learned Languages and the Liberal Arts and Sciences. He then dilates upon the little that has been done within our walls, for the time past, for the promotion of Physical Science,—which ought to have a distinguished place in the instruction furnished by the institution; reminds us of our duty to the public, and of our persevering neglect of that duty; ably sets forth his views of our obligation to found a great seat of learning, the necessity for its foundation, and the conviction of

such necessity existing in the public mind. And this all ends in the conclusion, that Dr. Gibbs ought to be elected, as being the only instrument within reach, so far as his peculiar province is concerned, fit to carry out this great and beneficent design. Yet, if it shall be shown that the Trustees are not justly chargeable with past or present neglect, and that they were, when the author wrote, as fully conscious of the importance of enlarging the sphere of usefulness of the College as himself, and had to his knowledge given the best evidence in their acts of such consciousness, then it is evident that his censures were not necessary, either to remind his colleagues of their duty or to enforce the conclusion to which all tended. He might in that case have done them the justice to put his argument in this form—that, “whilst the Board were anxious, and were taking the best measures to improve and enlarge their course of instruction in the Physical Sciences, they ought certainly not to fail to avail themselves of the services of the agent best fitted to carry a part of their design into execution.” He might thus have mitigated in some degree the severity of the blow he has aimed at an institution to which he professes ‘to owe his best affections, and for whose interest and honor’ he avers ‘he has never ceased to strive during the many years in which it has been his pride to serve her’; and yet not have failed of the avowed object he had in view. In other words, he might have written more truly and justly, yet with no less force; and if it can be shown that his censures are not justified by the fact, he has not only injured where he was bound to protect, but the injury is gratuitous, even on the supposition that his main design was laudable.

Now admitting the importance of Physical Science, and the duty of the College as a public institution to give adequate instruction in it, according to its ability, and the needs and demands of the community—a proposition which no one of Mr. Ruggles’ colleagues denies, or has been heard by him to deny—what is his accusation either as applied to

the past or the present? It will be understood to be, 1. That the Trustees have not properly filled up their present course of instruction—have not appointed professors enough to render that course effective; nor given to the Professor of the Natural Sciences, lately occupying the only chair they have instituted, adequate accommodations. 2. That the course of instruction is too narrow, and ought to be expanded into a University, where, in place of being taught as now, in their elements, the Physical Sciences might have the importance given to them which modern discoveries suggest, and a thorough mastery of each or any might be imparted to the student—(at least this is understood to be the comprehensive idea intimated;) and that the Trustees are, and have ever been dead to the consideration of the wisdom or practicability of any such extension, or to the giving instruction in the same sciences to any who might not be willing to come up to the high standard of the College in classical learning.

On the first head. It has for some time been the favorite object of Mr. Ruggles to procure the division, by the Board of Trustees, of the duties of the chair of Natural and Experimental Philosophy and Chemistry, and to make Chemistry the subject of a distinct Professorship. His efforts to this end have been constantly and steadily resisted. If this resistance had been grounded upon any denial of, or failure to realize the wide range of the sciences the tuition in which was committed to a single professor, or indifference to the subject, there would be truth in the complaint. But such is not the fact. The reason for not yielding to Mr. Ruggles' motion has always been stated to be, that so long as by our present course we professed and attempted to teach only the elements of the sciences assigned to the chair, one competent to fill it could always adequately discharge its duties. In this opinion the Board were fortified by the judgment of scientific men inside and outside the Board; and this view of the subject Mr. Ruggles has never, in his proper place, even attempted to answer. But, as will be shown, the Trus-

tees, while unwilling to make any partial change, or to support two Professors to be charged with duties that could be perfectly performed by one, were yet not contented with the system of instruction the continuance of which justified their then action. So far then, and as to this point, the accusations of Mr. Ruggles are falsified by the fact.

As to the neglect of the Trustees to afford the Professor in the department named better accommodations than those he had for years occupied, the facts substantiate it to a degree. He has had in occupation a room partly below the surface of the ground, sufficiently lighted in the front and rear by windows, fitted as a laboratory, and commodious enough, until recently, for the accommodation of his class. With a magnificent apparatus, purchased at an expense of ten thousand dollars, he has needed an additional room upstairs for lectures and experiments not requiring the use of the Laboratory—a necessity always admitted, but which the want of sufficient buildings and a limited income have compelled the Trustees to postpone. In the time, however, of the late Professor, a measure was devised, under the direction of a committee, with the consent of the President, by which the abandonment by the President of his room, (an inconvenience which he expressed his willingness to submit to temporarily, and until time would allow of a better arrangement,) would have obviated the difficulty. This however has not been carried into execution, owing to discussions which have taken place relative to the early removal of the College. This statement, however, ought to be sufficient to repel the charge of past or present indifference on the subject.

The second ground of complaint is, that the College has not been expanded into a Great Seat of Learning, and we are told that it is not the want of means that has prevented this. He says: "The difficulty lies deeper than the want of money. We have wanted Trustees—more zealously to carry out the purposes defined by our charter. We have avowedly and perseveringly neglected, undervalued and

disparaged the Liberal Arts and Sciences, and the world has avenged the neglect, by neglecting us."

So far as this censure affects the past, what truth is there in it? The condemnation extends not to the living only, but to the dead: and Livingston, Hamilton, Mason, Harrison, Hobart, Morris, King, Miller, Troup, Jay, Ogden, Fish, Irving, Jones, Campbell, Lawrence—hitherto honorable names—in common with Mr. Ruggles' cotemporaries, share the odium. Now, successive annual reports of the Treasurers of the College for the seventeen years last past, (which is as far as access to records of them has been convenient,) show that whilst the income of the College has been faithfully applied to the purposes of education for that period of time, the Trustees have not limited their expenses to that income, but have incurred a constantly increasing debt, the accumulations of which have sustained and increased the means of instruction which they have been enabled to afford to the community. To enable it to do what it has done, the College has increased its debt by such gradual accumulations from the sum of \$51,506 31, at the end of the financial year terminating on October 1, 1837, to the sum of \$78,500, at the end of the financial year ending on the 1st October, 1852. The debt was not increased during the year ending on the 1st October, 1853, owing to the increase in the rents of the College, and the absence of any large extraordinary expenses for the payment of assessments on its property. The incurring this indebtedness, for the purpose of keeping the institution in a state of efficiency, was justified by the certainty that the increase in the value of its landed estate would, in the progress of not many years, afford the means of discharging the debt. But it is manifest that the Trustees proceeded to the verge of prudence in order to meet the just demands of the community. But Mr. Ruggles says if we had done more, the means would have been added to us. Could more have been done by the Trustees of this institution without just censure of another kind, that they had mismanaged, and squandered or impaired its

estate? Even in the past, in common with some other colleges in this country, a parallel Scientific Course was established by the College, upon which students might attend without any proficiency in, or attention to classical studies. This was discontinued after a trial of several years, only because so few were found to avail themselves of it as, in the judgment of the Trustees, to render its further continuance inexpedient. All then has hitherto been done that could be done with judgment, and the means were not added to us.

It is no doubt deeply to be regretted, that private gifts to this old established College (which were heretofore solicited) have not enabled it hitherto to extend its usefulness, and to become what is greatly needed, a University for the complete instruction of youth, not only in the Natural Sciences, but in all other branches of human knowledge proper to be taught in such a seat of learning. But this expanded idea has not yet been realized in this country. Neither private nor public liberality has afforded the large pecuniary resources necessary to realize it. What has been done has had a more limited scope. Private liberality has founded institutions of a more limited aim—independent foundations, with peculiar organizations, bearing the impress of the plans and intentions of the founders, and the very independency of which is inseparable from their existence. Such are the Astor Library, and the Cooper Institute. There is no probability that any of the means that have found their way to these, or to the Free Academy, would have been available for Columbia College, had she ventured, relying upon such support, to incur expenses far beyond her ability from her own resources to meet. The means for the support of the Free Academy are drawn by periodical taxation from the people, whilst it is governed by officers elected by popular vote. The State does not give such large donations as would have been required in this instance, to incorporated Colleges independent of her direct control. It may well be doubted, therefore, whether any of the large

donations or resources which have supported the three institutions named would ever have been ours.

The state of society, and the want (at all events until of late years) of wealth and of adequate sense in the community of the usefulness of such institutions, it may be conjectured, have prevented the endowment by public or private means of great Schools of Science in this country; and it is even now necessary to resort, as Mr. Ruggles admits when he speaks of the expectations of men of science with reference to Columbia College, to existing incorporations whose endowments, swelled into importance by lapse of time, are supposed to enable them to undertake such vast designs.

But now, he says, "poverty is no longer a valid excuse." The Trustees offer no excuse, but realize and acknowledge, as fully as Mr. Ruggles can do, their duty to the State as well as to their other benefactors, to administer the property within their charge so as to afford to the community every advantage for education which their means will allow. This is their whole duty.

The income of the College for the past year has not been more than sufficient for its wants. Its whole net revenue has not exceeded \$17,516 74, including tuition fees; and the ordinary expenses of the institution have consumed that amount, except a balance of \$621 84, which remained in the Treasurer's hands at the expiration of the financial year, on the 1st October, 1853. After the 1st of May, 1854, however, the rents of the College will be increased by the sum of \$5,000, from which must be deducted so much as must be allowed for rent to two or more Professors, who may be removed from their houses to give additional accommodations for instruction. This deduction may leave an additional revenue of from \$2,000 to \$3,000, disposable for the increase of the usefulness of the College.

The above statement includes all the revenue that is derived, or can be derived for many years to come, from the College property in the lower part of the city, not immedi-

ately in the occupation of the College, all of which, including the present site of the Grammar-School, is subject to long leases. The rest of the College property is at present unproductive. It comprises the site of the College, with its Green, and the estate commonly known as the Botanic Garden. Of the latter it may be said, that whilst, when reduced to the city grade, it may be made productive of a large revenue, yet this will require a very large outlay, which, united to the cost of erecting new College buildings, will balance to a large extent the resources of the College which would otherwise be derived from other portions of its estate.

Still, there can be no doubt that when the work of fitting for the market the Botanic Garden shall be finished, it will immediately and rapidly become productive of revenue, and by its increased value amply repay the cost. This work, when commenced, will require two years for its completion. If the advice of Mr. Ruggles had been followed by the leasing or sale of the Botanic Garden four years ago, when its market value did not exceed \$150,000, he would not now have it in his power to set down its value at \$400,000, in his inventory of the estate of the College.

It must be evident from the foregoing statement, that any increase in the revenue of the College beyond that which it will enjoy for the present year, is prospective merely; and that that present increase is inconsiderable, as a means of carrying out any grand design.

But have the Trustees been unmindful of this prospective large increase of revenue, or careless to make provision for a wise use of it, such as would satisfy the great ends for which the College was endowed?

On the 4th October, 1852, a Special Committee was appointed, who, besides other matters, were charged with the duty "to consider and report upon the expediency of engrafting upon this College a scheme of University Professorships and Lectures in the higher departments of Letters and Science, and to report in detail as to the extent to which

such a scheme is now practicable, and as to the means of adequately endowing the Professorships." This committee, of which Mr. Ruggles was a member, made a partial report on 13th December, 1852, and asked leave to continue and report as to the other matters referred. At the same time they reported two resolutions, one of which was referred back; and the other, which recommended that in order to afford free tuition, advantage should be taken of the then (supposed) high price of real estate, to lease or sell portions of the College property as should be deemed advisable, especially the portion then in the occupation of the College, was referred to the Standing Committee, who afterwards reported adversely to such a disposition; and wisely, as the result has proved.

The same Special Committee, on the 3d January, 1853, read the same report they had previously made, but they never made any other or further report.

But the subject was not suffered to drop here: for, on the 7th February, 1853, a reference was made to a Special Committee of Four, of which Mr. Ruggles was Chairman, "to inquire into the general condition of the Department of Chemistry and Natural and Experimental Philosophy, and whether any and what changes were necessary to be made therein." After this committee had reported, making a division of the duties of the department unsatisfactory to the Board, their report was recommitted, and three members of the Board were added to the committee. And a majority of that committee, consisting of Dr. Henry J. Anderson, Hamilton Fish, Edward Jones, and Gouverneur M. Ogden, on the 3d October, 1853, made a report recommending that no action be had in reference to that Professorship solely, as being partial and very probably inconsistent with the comprehensive Scheme of Education which might eventually be adopted. And, in accordance with the recommendation of that committee, the following Resolution was passed:

"*Resolved*, That it be referred to a Committee of Three, to be

elected by ballot, to inquire whether it is expedient to take any and what measures for the removal of the Seat of the College; and in the event of that removal, whether any and what changes ought to be made in the Under-graduate course, and whether it would be expedient to establish a system of University Education in addition to such Under-graduate course, either in continuation thereof or otherwise. That such Committee report fully as to the principles and details of any plan that they may recommend, and whether in their opinion it can be successfully carried into execution; and in connection therewith, that they consider whether, for the more effectual carrying out such plan, and extending the benefits of this institution, it ought to afford rooms and commons, or rooms alone, for resident students, and ought to have its seat isolated."

Mr. Ruggles dissented from this report; and whilst he may claim that he could not assent to that part of it which recommended that no action should be had in reference to that chair, which has been his peculiar care, yet he might at least have granted his approbation to the inquiry.

The Committee elected were William Betts, Dr. Henry J. Anderson, and Hamilton Fish,—to whom, in consequence of Governor Fish's necessary absence in Washington, was afterwards added the Rev. Dr. John Knox.

The task confided to this Committee was one of great difficulty. To write indeed of this subject, as Mr. Ruggles has done, gracefully and with facility; speaking in glowing terms of the advantages of Universities, the needs of the community, and the growing sense of those needs, yet dealing in generalities—requires rare talent. But, by study and thought, to ascertain the true principles that ought to govern the creation of an enlarged system of education, and to apply those principles to all the details of a well-considered plan, having regard to the proper design of education, the demands of the community and the means of support, is a work of infinitely greater difficulty. It requires great powers of analysis and judgment, drawing to the use of the occasion the thoughts and experience of other men, but modifying and departing from them as difference

of circumstances, or as the manifest errors in old systems may require.

To this task the Committee have with industry and ability addressed themselves. And on the 7th November, one month after their appointment, they made a partial report, showing the research, thought and judgment they had applied to the subject. Though stating their views as immature, they say in that paper, in the following extract :

“The instruction of the College, covering the period of life between boyhood and manhood, and forming the bridge by which we pass from home into the world, is of most peculiar importance. To the College is committed the mind of the future Man, at this critical time : and it is the mission of the College, to use a modern but not unmeaning term, to direct and superintend the mental and moral culture, and to form the Man or the Mind. They are identical. “The mind is the man and the knowledge of the mind. A man is but what he knoweth.” Moral and intellectual discipline, it is agreed, is the object of collegiate education. The mere acquisition of learning, however valuable and desirable in itself, is subordinate to this great work. Not only is this the peculiar business of the College, but in the College alone, as a general rule, can this work be performed. The design of a College is to make perfect the human intellect in all its parts and functions ; by means of a thorough training of all the intellectual faculties to attain their full development : and by the proper guidance of the moral functions, to direct them to a proper exertion. To form the mind, in short, is the high design of education as sought in a College course. A Liberal Education has been well defined to be “An education in which the individual is cultivated, not as an instrument towards some ulterior end, but as an end unto himself alone : in other words, an education in which his absolute perfection as a man, and not merely his relative dexterity as a professional man, is the scope immediately in view.”

“We cannot however conceal from ourselves, that, however manifest and just this sentiment may seem to us, it does not meet with universal sympathy or acquiescence. On the contrary, the demand for what is termed progressive knowledge, so loudly uttered, and for fuller instruction in what are called the useful and practical sciences,

is at variance with this fundamental idea. The public generally, unaccustomed to look upon the mind except in connection with the body, and used to regard it as a machine for promoting the pleasures, the conveniences or the comforts of the latter, will not be satisfied with a system of education in which they are unable to perceive the direct connection between the knowledge imparted, and the bodily advantages to be gained. For this reason, to preserve in some degree, high and pure education and strict mental discipline, and to draw as many as possible within its influence, we must partially yield to those sentiments which we should be unable wholly to resist. Your Committee therefore think that while they would retain the system having in view the most perfect intellectual training, they might devise parallel courses, having this design at its foundation, but still adapted to meet the popular demand. A judicious modification of the present College course, aiming at thorough and harmonious instruction in the Classics, Mathematics, Philosophies and kindred branches, in just proportions, may attain this object. And your Committee think that experience, authority and reason admonish us that we should not diminish, in the slightest degree, the high value which has been placed on the right acquisition of the Greek and Latin classics. Other courses, as the means of the College increase, may at the same time be instituted; perhaps with different faculties and in different halls; in some of which the mathematical element might be more largely infused; in others, the sciences directly and practically useful for the purposes of daily life. The details of this plan the Committee are not yet prepared to report, and they ask for further time for that purpose, but they have thought it proper to submit to the judgment of the Trustees the proposition, by which they suppose that the College may preserve the paramount system of thorough intellectual training, and still meet the demand for useful professional or active learning.

“With regard to the establishment of a University system in addition to the under-graduate course, the Committee are not prepared to say more than that they regard it favorably in such respects as it may be practicable: and they hope that it may be in part reached by the plan suggested by them. But they are admonished that this design is not free from serious difficulties. The proposition to engraft University education on the College courses has been agi-

tated in relation to the English Universities, and more especially in connection with Oxford ; but hitherto without any practical result. It has been thought, and your Committee do not consider it inappropriate to repeat the suggestion, that 'this system in the first place had never yet been properly sifted : that there had been a vague call for some years for an expansion of the University in this direction, but nobody had gone below the mere surface of the subject, by which was meant one man saying what he heard another say : and the public intelligence had stopped at an idea, instead of pushing on into the solid interior of the question. The University, it was observed, had little chance of any large accessions from the great professional and trading body, simply for the reason that this body could not afford the time for a prolonged general education ; but an accession from the higher portions of this body, if proper concessions were made, did not seem impossible.' The Committee however are not discouraged at the slow progress, or fruitless attempts of these learned bodies. They do not despair of arriving at some means for the advancement of learning beyond the usual point of a Collegiate or Gymnastic course. The Medical and Theological Schools have here already done much, perhaps all that can at present be done in that direction ; but for the profession of higher Jurisprudence, and for the practical sciences in all their variety, the door is yet open, and possibly much may be done by the College in advancing a knowledge of those branches. The Committee simply report this subject as having engaged their attention ; but they reserve further observations for a future occasion, and they offer the foregoing suggestions to the Board, with the hope that the thoughts of the Trustees may be brought to these points, and that they may be guided and enlightened in their future deliberations by the sentiments and reflection which this partial report may educe from the several members of the Board."

The Committee again made a report on the 6th March, 1854, showing the outlines or scheme of a Collegiate course, with the addition of University studies, which, however, was reported by them as incomplete, and subject to such modifications as further consideration or suggestions from members of the Board of Trustees or from the Faculty might seem to render expedient. That scheme is here inserted.

“OUTLINE OR SCHEME of a Collegiate Course, with the addition of the Studies usually called University Studies.

“The *Classical Course*, as now in use, to be preserved, with the alterations and modifications mentioned below. A co-ordinate *Scientific Course*, with due regard to Classical and Ethical instruction.

“The principle of the present College Course, as far as attainment is concerned, &c., before a Degree of A. B. shall be conferred, to be retained, and applied to both the above Courses, as mentioned below.

“I. The *Classical Course*, as at present established, to be substantially preserved for three years; that is, the Freshman, Sophomore, and Junior, with adaptations, however, to the future studies, both sub-graduate and post-graduate of the College.

“The Co-ordinate, mainly Scientific Course, to occupy two years, and a third when the demand shall justify it.

“The requisites for admission into this Course to be so regulated that the attainments of the attendants upon this Course at the end of two years, and upon the Classical Course at the end of three years, will equally qualify the Students for admission into the Senior or Graduating Class.

“At the end of the Classical Term of three years, and of the Scientific Term of two years, a certificate of proficiency to be given, in Arts, or in Science, as the case may be, which will entitle the Students to admission to the studies of the concluding year.

“At the end of the studies of this concluding, or Senior year, the Degree of A. B. shall be conferred on those Students who may be found deserving of it. The studies of this year shall be conducted in one of the three Schools or Departments now to be described.

“II. After the three year Classical, and probably two year Scientific Course, the Course of study shall be divided into three Schools or Faculties, the studies in one of which, for the first year of the Departmental Studies, (being the same as the present Senior year, and to continue to be called the Senior year,) shall be required for the Degree of A. B. for those who have pursued the Classical Course, and for the Degree of Bachelor of Science for those who have pursued the Scientific Course.

“These Schools or Faculties shall be—

“I. A School or Faculty of *Philosophy or Philology*, comprising * * *

"II. A School or Faculty of *Jurisprudence and History*, comprising * * *

"III. A School or Faculty of *Mathematical and Physical Science*, comprising * * *

"The Studies of the three Schools or Faculties to be distributed throughout three years, the first year of which will require, on the part of the Student, fifteen hours per week of recitation, excepting vacations.

"A less number of hours per week, perhaps ten, will be required in the second and third year, which two years comprise the post-graduate Course.

"Students may be admitted into either of the three Schools or Faculties upon examination, without having been connected with the College."

At the same meeting (on 6th March, 1854.) the Committee recommended the adoption of the following Resolutions, which were then passed :

"*Resolved*, That in view of the approaching necessity of dividing and redistributing the duties of the existing Chairs, including the one now vacant, the subjects entrusted to those Chairs, their Titles, hours of attendance, and modes of compensation, be considered as necessarily held *ad interim*, and liable to modifications to take effect at no distant day.

"*Resolved*, That in furtherance of the proposed modifications, the Professors be invited to present to the Committee on the Course, such improvements in the College plan of Education as they, in the exercise of their discretion, may deem it proper to suggest, and that the Committee be authorised to address to the Professors such questions in relation to the College Course as it may be thought advisable to propose."

The Professors had, on the 3d April, 1854, in communications in writing made by them respectively to the Committee, responded to these Resolutions; and on that day, upon the recommendation of the Committee, a Resolution was passed that such communications should be given to the President, with a request that he would examine them

and return them to the Committee, with such suggestions as might occur to him.

After the production of this evidence it may safely be asked, Are the Trustees of this institution vindicated from the charge made against them by Mr. Ruggles? Have they "avowedly and perseveringly neglected and disparaged the Liberal Arts and Sciences?" Have they shown themselves unmindful of the duty, so far as it rests upon them, to found a University? On the contrary, does not this statement of facts (concerning which there can be no dispute) show that they are at this moment, and had been for months before he wrote, taking the most judicious measures both to improve and enlarge the Course of Instruction of the institution, giving due prominence to the Natural or Practical Sciences?

But, to expose more completely the unfairness that characterizes this attack, compare his statements with the fact. Speaking of the Free Academy, on page 19, he says:

"Two Universities,—two great centres of scholarship and science,—cannot exist together in the same city. One or the other must be absorbed or annihilated,—and we may live to see this so-called democratic school, founded avowedly because we did not satisfy the just demands of the community, (a fact which may be doubted,) giving intellectual tone to the city, and through the city to the nation,—*while we remain travelling round the narrow circle, to which inveterate habit has accustomed us.*"

Again, on page 22,—

"It is not to be denied that members of our Board estimate very differently the necessity, value and dignity of Physical Science. The fact is abundantly manifested, not only *in the open disparagement of that branch of human knowledge, but*" * * * *

It is untrue that we are travelling round such narrow circle, or that inveterate habit has accustomed us to such gyrations. And it is equally untrue that members of the

Board have openly disparaged Physical Science. It may be conjectured that Mr. Ruggles intended this censure to apply to those of his colleagues who found it their duty to differ with him on the subject which has been the pretext for these unfounded statements. And yet some of that obnoxious class have originated and devised, or are actively engaged in the execution of the very measures which *he* now recommends, as if they had never even been hinted at in the Board except by himself. And it is remarkable that, on the 6th March, when the Report of the Committee on the Course had been read, Mr. Ruggles expressed his approbation of it, and yet, on the 29th of the same month, he sent to each of the Trustees his pamphlet, containing statements and inferences so entirely irreconcilable with the fact that such a report had been made. And this is the witness upon whose testimony all the prevailing excitement is founded!

There are other statements in the pamphlet under review which may be answered in a few words.

Mr. Ruggles argues against the supposed position that the College is so connected with the Church to which he professes his attachment, that its managers are entitled to confine their selection of Professors to men of her communion. Whatever of this kind may have been said without its walls, such a proposition was never advocated by any of its Trustees. So of the insinuation that Dr. Gibbs had been accused of infidelity: no one did him the injustice, or allowed himself to be guilty of the indecorum, of applying such a term as infidel, to that gentleman.

And for the contradiction of Mr. Ruggles, last in order in this connection. His positive assertion that Wolcott Gibbs "was called to account, by members of our body representing at least three separate religious denominations, for his want of conformity to a Theological standard of their own, compounded from incoherent and opposing creeds, and agreeing only in hostility to the denomination to which he belonged," is wholly unfounded in fact.

The statements last alluded to, and those which relate to the management of the educational and financial concerns of the College, unfounded as they are shown to be, were in addition entirely unnecessary. They could have been left out of his argument without at all impairing its force. They do not touch the merits of Dr. Gibbs, or, except the last two, if true, in any degree elucidate the objections which prevented his election. But they are a part of a series of attacks, seeking an end regardless of the means, and by those means casting unjust discredit upon an institution which their author was bound by considerations of duty and honor to serve and protect. He has accused his colleagues of a violation of their trust. How has he performed his?

Reference has been made to the means, other than the printing the pamphlet, which have been used to secure the introduction of Dr. Gibbs into Columbia College as one of its Professors. It is necessary to extend this pamphlet by a narrative of occurrences in connection with this vacancy, in order to give a correct understanding of the character of those means, and of the nature of the controversy which has compelled the present statement.

The resignation of Prof. Renwick was accepted on the 21st November last, and on the same day a committee was appointed to receive testimonials in relation to the vacant Professorship. That committee did not report until the succeeding 9th January: and on that day, be it clearly understood, before a word had been said in relation to the vacant Professorship,—before the committee had reported, and when, as yet, the Board of Trustees had not been put into possession of the names of any candidate for the vacant chair, Mr. Ruggles moved certain resolutions which after an argumentative preamble asserted, 1st. That in filling the vacant Professorship, the members of the Board could not lawfully or rightfully exclude or object to any candidate “on account of his particular tenets in matters of religion,” nor “make the religious tenets of any person a condition of

admission" to such Professorship, or a ground of exclusion therefrom, nor "require any religious qualification or test" from such candidate: and 2d, that in filling such Professorship, the Trustees were legally and morally bound to select such Professor, with reference solely to his fitness for the place, without regard to his religious opinions. This was an abstract proposition. It was uncalled for, and took the Trustees entirely by surprise. It had relation to no individual. And by it the Board was asked to restrict, so far as its action could do it, the independent right to vote of its members. And the condemnation of the principle of the resolutions was general. They were indefinitely postponed. But what was the end proposed to be reached by moving the resolutions? Did it seem to Mr. Ruggles to be good policy to advance an untenable proposition which, by the indignation it should excite, would call out declarations of opinion from those against whom particularly it was aimed? Nothing is hazarded in saying that those resolutions ought not to have been passed: and subsequent developments lead to the well grounded suspicion, that his expectation was to gain a foundation upon which to base the allegation of persecution for religion's sake, to be afterwards loudly uttered abroad. If this was the design, it was unsuccessful. For no one at that, or at any other time, declared that he would not vote for Dr. Gibbs on account of his religious profession, or pronounced any favorable opinion of his character or qualifications as entitling him to an election over his competitors, apart from his religion. This was on the 9th of January, and the election was made on the succeeding 31 April. Much occurred in the meanwhile.

At the meeting of the 9th January, after the disposition of the resolutions, the committee on the vacant Professorship reported that they had received several nominations. These were not then read, but the Board adjourned to the 17th January for the purpose of hearing them read.

On that day, there being an impression that sufficient means had not been taken to procure the applications of the

distinguished scientific men of the country for the very important chair then vacant, which might be supposed to offer a very desirable position to some of them, and that the Trustees were therefore more restricted in their choice than might be for the advantage of the College, the committee were, by resolution, instructed to take such measures as might be in their power, to present the names and testimonials of other candidates at the next meeting.

The result was, that on the 6th February the committee reported six additional applicants with their testimonials, amongst whom was Professor McCulloch, who eventually received the appointment.

In the interval between these two meetings of the 17th January and the 6th of February, numerous articles appeared in the newspaper press of this city, advocating and enforcing the election of Dr. Gibbs. The contents of these may be briefly summed up. They asserted the pre-eminence of Dr. Gibbs over all other candidates, and that such pre-eminence was admitted; they stated that he was about to be rejected because he was a Unitarian; they contained gross misstatements and misrepresentations of the management of the property of the College, and of the motives of the Trustees, both in regard to the filling this vacancy and to other branches of the government of the institution; they ridiculed the Trustees, and charged them with being inefficient and indifferent to the proper ends and aims of the College; they spread the names and religious professions of the Trustees before the public; and ridiculing the conduct of the financial concerns of the College, they threatened that if the particular system of management of its property therein suggested should not be pursued, or if Dr. Gibbs should not be elected, individual Trustees, who might by their votes disregard either injunction, would be legally proceeded against.

Now as to these articles: Whilst if they were the spontaneous opinions of the public press, however injurious to the College in creating false impressions on the public mind in

relation to its management, they could not justly be any objection to the claims of a candidate thus "indecorously" pressed upon the consideration of the Trustees: yet if they were resorted to by the friends of a candidate as means to secure his election, and were part of a settled design, then a different question was presented. In that case it might well occur to Trustees of an institution such as this—was it safe to establish the precedent of a successful attempt to introduce a Professor by measures like these? Would they not, if efficacious now, be renewed in other cases? What effect would their success have upon the future government and discipline of the institution?

Many Trustees believed them to proceed from the most active friends of Dr. Gibbs, with a design thereby to promote his election, and that one or more members of the Board were cognizant beforehand of their publication.

It was apparent on their face that they were the production of persons feeling a deep interest in the election of Dr. Gibbs. Their object was manifestly to promote his success. They were published at the very point of time when their influence might be supposed to tell with the greatest effect—immediately before the election was expected to be had. They were founded upon statements of such particularity, and characterized with so much admixture of truth with falsehood, as showed that they must have been based upon information furnished by members of the Board of Trustees. No evidence could be expected to be procured of the agency of any member of the Board further than was furnished by the agreement of the tone and spirit of the articles with the course of proceedings within the Board itself. There was enough, however, to excite serious suspicions.

To what was then known has now been added the Pamphlet reviewed; and a comparison of the unfounded statements of that Pamphlet with those of the articles tend to prove that they had the same contriver. In both, there is the same baseless assumption of the admitted pre-eminence

of a particular candidate,—the same unjust and untrue statements of the inefficient and negligent management of the institution, expressed with more decorum, indeed, in the production the authorship of which is avowed,—the same false and injurious allegation, that a claim of an exclusively religious character for the College was set up,—and, in short, the same reckless pursuit of an end regardless of the means.

But further, at a meeting held on the 17th of February, the attention of the Board was called to these articles as being, what in reality they were, attempts to force a professor into the institution by threats and intimidation, connected with the display of great disrespect of the government of the College, and indications of a general design, of which this was the first step. The result of the remarks then made was to elicit expressions of opinion from some Trustees, which were calculated to alarm the friends of Dr. Gibbs. No personal allusions to any Trustees were made: on the contrary, they were expressly disclaimed. But it was stated that the information upon which the publications were founded must have come from some member or members of the Board. Mr. Ruggles, under the excitement of the occasion,—without having been accused, alluded to, or hinted at as in any way connected with the articles complained of,—asked, ‘Why should he be suspected of doing any thing to injure his colleagues?’ at the same time expressing his attachment to some of them. This was the substance of what he said, distinctly recollected. Why this deprecation of suspicion? A profound judge of human nature put into the mouth of another man a similar expression: “Thou canst not say, I did it.”

This was on the 6th of February, (to repeat it again,) and the election took place on the 3d of April following. From the first to the last of these dates, the Press was as silent, (except to announce the result of such ballotings as were had,) as if it had never taken the least interest in Columbia College or its scientific chairs. When it seemed

for the benefit of Dr. Gibbs to speak, it would speak : when it seemed for his benefit to be silent, it would be silent. How was this close connection between the management of his cause within, and the management of his cause without ?

All these things were followed by the Pamphlet : its contents and first use : its real but unavowed purpose to produce an effect upon the public mind, giving the contradiction to its pretended aim : its reliance upon the voice of the press as indicative of public opinion, urging that " we cannot close our eyes upon the fact, that the community is excited and offended by the objection to Dr. Gibbs that he is a Unitarian " ; and again in another place, " Rely upon it, the community never can be convinced that if Wolcott Gibbs be now rejected, he is not rejected by reason of his religious tenets."

Taken together, the facts and circumstances which are here collated, show beyond reasonable doubt, that every step in the progress of these proceedings, inside and outside of the Board, were directed by the same controlling hand, and were parts of a scheme which probably had a wider object than the introduction of a single Professor into this institution.

Upon such of the Trustees of the College as might, before these things were done, have formed a favorable opinion of the comparative fitness of Dr. Gibbs, these most unusual and unwarrantable means for securing his admission to a Professor's chair might justly be expected to produce the effect to change their judgment, both as to his real merits and as to the policy of admitting him, even if in point of ability well qualified, or even qualified in a superior degree, for the office. We are told that none of these proceedings, including the printing of his testimonials, (and we may suppose the assertion to extend to the present circulation of these,) were in any way suggested, instigated or encouraged by Dr. Gibbs. We are not told whether they had his consent. We do not know that he has ever expressed his dis-

approbation. And we know, moreover, or have the best reason to believe, that they all had for their author or prompter, his main advocate in this sharp contention for office.

At this stage of the argument there will appear little reason to believe that Mr. Ruggles has been in any degree actuated by a desire for the preservation of religious freedom. The facts negative the allegation that the gentleman whose claim he advocates was rejected by the Trustees by reason of his religious faith. The assertion (upon which that proposition depended) that his supreme excellence was admitted, and that his religion was made the sole objection to him, has been disproved. But the case now presented shows a device and design of Mr. Ruggles to make the religion of Dr. Gibbs a means for his introduction, on the plea that other Trustees made it a ground of his exclusion. It was to be the instrument to compel such Trustees to give him their support. His religious profession, his alleged merits and his persecution, were shouted to them and to the world: their opposite creed was as loudly proclaimed: the contrast between their religious belief and his was made as manifest as possible to gain greater credit for the accusation: and then they were told, 'rely upon it, the community will never believe that you have not rejected Wolcott Gibbs by reason of his religious tenets.' They were thus urged, by all the external pressure that could be brought to bear, to put him into the chair on account of his religion, lest they should be deemed to keep him out on that account. And the necessary consequence was, that they could not exercise their judgment by preferring to him another whom they really believed better fitted for the place, without incurring the odium now cast upon them.

Enough has now been stated to enable the reader to understand the nature of this controversy. Down to the time of the election, it was simply a contest for place. That place was a Professor's chair in a College. In submitting the name of an applicant for this chair, it was becoming and proper that he and his friends should have relied upon

his qualifications alone, leaving the Trustees of the Institution to their free and unbiased judgment to determine whether the true interests of the College would be promoted by his election. If this would have been the course proper to be pursued by him or his friends, not officers of the College, it was eminently the duty of any of its Trustees, who were interested in his success, not to depart from it. Yet we find that, instead of confining himself to this rule, a Trustee of the College, professing to have her interests and welfare deeply at heart, has so far forgotten his duty to her as to be her assailant before the public, and by unfounded statements to do her great injustice and disturb the judgments of his associates, in order to compass the elevation of his favorite. We find that he has overlooked every other consideration but the accomplishment of this one end—in his view so desirable as to render justifiable the most exceptionable means to obtain it. He would gain for the College a good Professor for her benefit; and to persuade her Trustees that it was for her benefit, he has inflicted upon her great injury. So that now, no explanation of his conduct seems probable except this—that he would destroy, to build again.

It has been said, that down to the time of the election this was a contest for place. Even without regarding what has occurred since that time, the so-great eagerness of a Trustee in such contest is hardly comprehensible, on the supposition that his design reached no further than the object then contended for. But what is now the end in view? Six members of the Board of Trustees of Columbia College are clergymen. It may be conjectured that some of them—it is impossible to say how many—perhaps all—are aimed at in the attack of Mr. Ruggles. An attempt seems now to be made to remove them from the Board, because their presence and votes are inconvenient, or interfere with some ulterior designs upon an institution of growing importance, and in order (as we have been told by writers for the press.) that others may be put in their places by the votes of those

that would then remain. No evidence of such designs is possessed by the writer beyond what has met the public eye. But it may be asked, Why the industrious dissemination of the Pamphlet by thousands? Why this public excitement perseveringly kept up? It is not to put Dr. Gibbs into the coveted chair. That is filled. It must be something in the future. What that something is, must be left to conjecture.

This controversy has not been sought. It would have been gladly avoided. And the unpleasant duty of entering upon it has been put off until the call for its performance was imperative. The writer entertains the hope that he has not fallen into intemperance of expression in regard to the party mainly involved in those transactions upon which he has found occasion to comment. Of this, the public now appealed to must judge. But to none of the others of his colleagues does he attribute any other motive than a desire for the best interests of the institution over which they are the governors. In the matter which for the occasion divided them, there was an honest difference of opinion, which—though the cause from the importance of the subject, of earnest feeling—will not interrupt, it is believed, the mutual respect and cordiality which have always characterized their official intercourse.

For the rest: It may be said with truth, and it ought to be said, out of justice to the gentleman who was lately elected to the Professorship of Chemistry and Natural and Experimental Philosophy in Columbia College, that on the ballot upon which he was so elected, those who voted for him, one and all, believed him the best fitted for the place beyond all for whom any ballots were then cast: and that the result would not have been different had Dr. Gibbs belonged to either of the Presbyterian, Dutch Reformed, or Episcopal Churches.

The eleven gentlemen who cast their ballots on that occasion for the Professor elect, had the firmness to do so notwithstanding all that was done to compel a different result.

Without fear or favor, they have performed their duty to the institution of which they are Trustees. For that they are denounced: and at the call of the friends of an unsuccessful candidate for a scientific chair,—setting up his pre-eminence in derogation of the decision of a Board upon whose judgment alone the question of his fitness rightfully and legally depended,—it has become necessary not only to justify those Trustees, but to vindicate the good name of the College itself, tarnished by his advocate, whose relations to the College ought ever, whilst they continued, to have protected her from his assaults.


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